



State of Utah

Department of
Environmental Quality

Richard W. Sprott
Executive Director

DIVISION OF AIR QUALITY
Cheryl Heying
Director

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

DAQ-090-07

MEMORANDUM

TO: Air Quality Board

THROUGH: Cheryl Heying, Executive Secretary

FROM: Eileen Brennan, MACT Coordinator

DATE: January 8, 2008

SUBJECT: FINAL ADOPTION: Amend R307-214, National Emission Standards for Hazardous Air Pollutants.

On September 5, 2007, the Air Quality Board proposed for comment amendments to R307-214, National Emissions for Hazardous Air Pollutants. R307-214 was proposed for comment to incorporate by reference ten new federal MACT standards that may apply to Utah sources of hazardous air pollutants. The Board also proposed to update the incorporation by reference of 40 CFR Part 61 and Part 63 to the most current version of the CFR.

No oral or written comments were received about this proposal.

Staff Recommendation: Staff recommends that R307-214 be adopted as proposed.

Additionally, DAQ has completed a 5-year review for R307-214, and as a separate action, staff recommends that the Board continue this rule by approving the attached forms to be filed with the Division of Administrative Rules.

analysis purposes to improve instruction in public schools. Any such disclosure shall be made only if the following requirements are met:

(1) the disclosure is in accordance with the federal Family Educational Rights and Privacy Act (FERPA), 34 CFR 99-31(a)(6); and

(2) the research being done has been commissioned by the Board. In some cases, as approved by the Board, personally identifiable data may be provide to the researcher/contractor but only in a secure manner.

B. Those not commissioned but desiring data shall use the publicly available data on the USOE websites or request the research data set provided by the USOE Computer Services Section. This standard, deidentified data set shall be developed each year and available upon request.

C. The recipient organization shall sign the USOE Confidentiality Agreement.

KEY: data standards, reports, deadlines

Date of Enactment or Last Substantive Amendment: ~~August 7,~~ 2007

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3); 53A-1-301(2)(e)

Environmental Quality, Air Quality **R307-214** National Emission Standards for Hazardous Air Pollutants

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 30430

FILED: 09/07/2007, 13:51

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to update the incorporation date of 40 CFR Part 61 and 40 CFR Part 63 to 07/01/2007, and to incorporate by reference new federal regulations that may apply to current or future Utah sources of hazardous air pollutants. If requested, a public hearing will be held Wednesday, 10/24/2007 at 2 p.m. in the Main Conference Room of the Environmental Quality Building located at 150 N 1950 W in Salt Lake City, UT. If no request for a public hearing is received by 10/15/2007, the hearing will be canceled. After 10/15/2007, you may go to: <http://www.airquality.utah.gov/Public-Interest/Public-Comments/Hearings/Rule.htm> or call 801-536-4136 to determine if the public hearing has been canceled. Request for public hearing may be submitted by electronic mail to mcarlile@utah.gov or by calling 801-536-4136.

SUMMARY OF THE RULE OR CHANGE: The change updates the incorporation date of 40 CFR Part 61. There have been a number of changes that have occurred since the last time the division incorporated Part 61 into the rule; however, these

changes are either procedural in nature or minor modifications that include cleanup of language, citations, and cross references throughout Part 61. This change also updates the incorporation date of 40 CFR Part 63. The Clean Air Act of 1990 required EPA to issue standards for Hazardous Air Pollutants (HAP); these standards are commonly called Maximum Achievable Control Technologies (MACT). State operation of the MACTs program is a federally required component of Operating Permits program under Title V of the Clean Air Act. By adopting and receiving delegation for these standards for HAPs, the state will have primacy over administration of these standards on Utah sources. This will be consistent with the historical approach taken by the Department of Environmental Quality, and will simplify procedures required of sources. Ten new federal regulations that may apply to current or future Utah sources of hazardous air pollutants are proposed for incorporation by reference into Section R307-214-2.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-2-104(1)(a)

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: 40 CFR Part 61, and 40 CFR Part 63, July 1, 2007; and 40 CFR Part 63, Subpart DDDDDD, National Emission Standards for Hazardous Air Pollutions for Polyvinyl Chloride and Copolymers Production Area Sources; 40 CFR Part 63, Subpart EEEEE, National Emission Standards for Hazardous Air Pollutions for Primary Copper Smelting Area Sources; 40 CFR Part 63, Subpart FFFFF, National Emission Standards for Hazardous Air Pollutions for Secondary Copper Smelting Area Sources; and 40 CFR Part 63, Subpart GGGGG, National Emission Standards for Hazardous Air Pollutions for Primary Nonferrous Metals—Zinc, Cadmium, and Beryllium Area Sources. Also, 40 CFR Part 63 Subpart LLLLLL, National Emission Standards for Hazardous Air Pollutions: Acrylic and Modacrylic Fibers Production Area Sources; 40 CFR Part 63, Subpart MMMMMM, National Emission Standards for Hazardous Air Pollutions: Carbon Black Production Area Sources; 40 CFR Part 63, Subpart NNNNNN, National Emission Standards for Hazardous Air Pollutions: Chemical Manufacturing Area Sources: Chromium Compounds; 40 CFR Part 63, Subpart OOOOOO, National Emission Standards for Hazardous Air Pollutions for Flexible Polyurethane Foam Production and Fabrication Area Sources; 40 CFR Part 63, Subpart PPPPPP, National Emission Standards for Hazardous Air Pollutions for Lead Acid Battery Manufacturing Area Sources; 40 CFR Part 63, Subpart QQQQQQ, National Emission Standards for Hazardous Air Pollutions for Wood Preserving Area Sources (all 72 FR 38864, July 16, 2007)

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** There are no costs to the state budget for implementing the MACTS, as all sources are required to hold Operating Permits, and their costs are built into the fees paid by sources of HAPs under the Operating Permit Program.

❖ **LOCAL GOVERNMENTS:** No adverse economic impact is expected to occur as a result this rule because these provisions are already federally enforceable.

❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** **SMALL BUSINESSES:** No adverse economic impact is expected to occur as a result of this rule because these provisions are already federally enforceable. **OTHER PERSONS:** No adverse economic impact is expected to occur as a result of this rule because these provisions are already federally enforceable.

COMPLIANCE COSTS FOR AFFECTED PERSONS: No adverse economic impact is expected to occur as a result of this rule because these provisions are already federally enforceable.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No adverse economic impact is expected to occur as a result of this rule because these provisions are already federally enforceable. Richard W. Sprout, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY

AIR QUALITY

150 N 1950 W

SALT LAKE CITY UT 84116-3085, or

at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Mat E. Carlile at the above address, by phone at 801-536-4136, by FAX at 801-536-0085, or by Internet E-mail at MCARLILE@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 10/31/2007

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 10/24/2007 at 2:00 PM, DEQ Bldg, 150 N 1950 W, Main Conference Room, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 12/08/2007

AUTHORIZED BY: Bryce Bird, Planning Branch Manager

R307. Environmental Quality, Air Quality.

R307-214. National Emission Standards for Hazardous Air Pollutants.

R307-214-1. Part 61 Sources.

The provisions of 40 Code of Federal Regulations (CFR) Part 61, National Emission Standards for Hazardous Air Pollutants, effective as of ~~October 20, 1994~~ July 1, 2007, are incorporated into these rules by reference. For source categories delegated to the State, references in 40 CFR Part 61 to "the Administrator" shall refer to the Executive Secretary.

R307-214-2. Part 63 Sources.

The provisions listed below of 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories, effective as of July 1, ~~2006~~ 2007, or later for those whose subsequent publication citation is included below, are incorporated into these rules

by reference. References in 40 CFR Part 63 to "the Administrator" shall refer to the executive secretary, unless by federal law the authority is specific to the Administrator and cannot be delegated.

(1) 40 CFR Part 63, Subpart A, General Provisions.

(2) 40 CFR Part 63, Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance with 42 U.S.C. 7412(g) and (j).

(3) 40 CFR Part 63, Subpart F, National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.

(4) 40 CFR Part 63, Subpart G, National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

(5) 40 CFR Part 63, Subpart H, National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

(6) 40 CFR Part 63, Subpart I, National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.

(7) 40 CFR Part 63, Subpart J, National Emission Standards for Polyvinyl Chloride and Copolymers Production.

(8) 40 CFR Part 63, Subpart L, National Emission Standards for Coke Oven Batteries.

(9) 40 CFR Part 63, Subpart M, National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.

(10) 40 CFR Part 63, Subpart N, National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

(11) 40 CFR Part 63, Subpart O, National Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Commercial Sterilization and Fumigation Operations.

(12) 40 CFR Part 63, Subpart Q, National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.

(13) 40 CFR Part 63, Subpart R, National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).

(14) 40 CFR Part 63, Subpart T, National Emission Standards for Halogenated Solvent Cleaning.

(15) 40 CFR Part 63, Subpart U, National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.

(16) 40 CFR Part 63, Subpart AA, National Emission Standards for Hazardous Air Pollutants for Phosphoric Acid Manufacturing.

(17) 40 CFR Part 63, Subpart BB, National Emission Standards for Hazardous Air Pollutants for Phosphate Fertilizer Production.

(18) 40 CFR Part 63, Subpart CC, National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.

(19) 40 CFR Part 63, Subpart DD, National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.

(20) 40 CFR Part 63, Subpart EE, National Emission Standards for Magnetic Tape Manufacturing Operations.

(21) 40 CFR Part 63, Subpart GG, National Emission Standards for Aerospace Manufacturing and Rework Facilities.

(22) 40 CFR Part 63, Subpart HH, National Emission Standards for Hazardous Air Pollutants for Oil and Natural Gas Production.

(23) 40 CFR Part 63, Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations.

(24) 40 CFR Part 63, Subpart KK, National Emission Standards for the Printing and Publishing Industry.

(25) 40 CFR Part 63, Subpart MM, National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion

Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.

(26) 40 CFR Part 63, Subpart OO, National Emission Standards for Tanks - Level 1.

(27) 40 CFR Part 63, Subpart PP, National Emission Standards for Containers.

(28) 40 CFR Part 63, Subpart QQ, National Emission Standards for Surface Impoundments.

(29) 40 CFR Part 63, Subpart RR, National Emission Standards for Individual Drain Systems.

(30) 40 CFR Part 63, Subpart SS, National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process (Generic MACT).

(31) 40 CFR Part 63, Subpart TT, National Emission Standards for Equipment Leaks- Control Level 1 (Generic MACT).

(32) 40 CFR Part 63, Subpart UU, National Emission Standards for Equipment Leaks-Control Level 2 Standards (Generic MACT).

(33) 40 CFR Part 63, Subpart VV, National Emission Standards for Oil-Water Separators and Organic-Water Separators.

(34) 40 CFR Part 63, Subpart WW, National Emission Standards for Storage Vessels (Tanks)-Control Level 2 (Generic MACT).

(35) 40 CFR Part 63, Subpart XX, National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.

(36) 40 CFR Part 63, Subpart YY, National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic MACT.

(37) 40 CFR Part 63, Subpart CCC, National Emission Standards for Hazardous Air Pollutants for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants.

(38) 40 CFR Part 63, Subpart DDD, National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.

(39) 40 CFR Part 63, Subpart EEE, National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors.

(40) 40 CFR Part 63, Subpart GGG, National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production.

(41) 40 CFR Part 63, Subpart HHH, National Emission Standards for Hazardous Air Pollutants for Natural Gas Transmission and Storage.

(42) 40 CFR Part 63, Subpart III, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.

(43) 40 CFR Part 63, Subpart JJJ, National Emission Standards for Hazardous Air Pollutants for Group IV Polymers and Resins.

(44) 40 CFR Part 63, Subpart LLL, National Emission Standards for Hazardous Air Pollutants for Portland Cement Manufacturing Industry.

(45) 40 CFR Part 63, Subpart MMM, National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.

(46) 40 CFR Part 63, Subpart NNN, National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.

(47) 40 CFR Part 63, Subpart OOO, National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins Production (Resin III).

(48) 40 CFR Part 63, Subpart PPP, National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production.

(49) 40 CFR Part 63, Subpart QQQ, National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelters.

(50) 40 CFR Part 63, Subpart RRR, National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

(51) 40 CFR Part 63, Subpart TTT, National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting.

(52) 40 CFR Part 63, Subpart UUU, National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.

(53) 40 CFR Part 63, Subpart VVV, National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.

(54) 40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills.

(55) 40 CFR Part 63, Subpart CCCC, National Emission Standards for Manufacturing of Nutritional Yeast.

(56) 40 CFR Part 63, Subpart DDDD, National Emission Standards for Hazardous Air Pollutants for Plywood and Composite Wood Products.

(57) 40 CFR Part 63, Subpart EEEE, National Emission Standards for Hazardous Air Pollutants for Organic Liquids Distribution (non-gasoline).

(58) 40 CFR Part 63, Subpart FFFF, National Emission Standards for Hazardous Air Pollutants for Miscellaneous Organic Chemical Manufacturing.

(59) 40 CFR Part 63, Subpart GGGG, National Emission Standards for Vegetable Oil Production; Solvent Extraction.

(60) 40 CFR Part 63, Subpart HHHH - National Emission Standards for Wet-Formed Fiberglass Mat Production.

(61) 40 CFR Part 63, Subpart IIII, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Automobiles and Light-Duty Trucks.

(62) 40 CFR Part 63, Subpart JJJJ, National Emission Standards for Hazardous Air Pollutants for Paper and Other Web Surface Coating Operations.

(63) 40 CFR Part 63, Subpart KKKK, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Metal Cans.

(64) 40 CFR Part 63, Subpart MMMM, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products.

(65) 40 CFR Part 63, Subpart NNNN - National Emission Standards for Large Appliances Surface Coating Operations.

(66) 40 CFR Part 63, Subpart OOOO, National Emission Standards for Hazardous Air Pollutants for Fabric Printing, Coating and Dyeing Surface Coating Operations.

(67) 40 CFR Part 63, Subpart PPPP, National Emissions Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products.

(68) 40 CFR Part 63, Subpart QQQQ, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Wood Building Products.

(69) 40 CFR Part 63, Subpart RRRR, National Emission Standards for Hazardous Air Pollutants for Metal Furniture Surface Coating Operations.

(70) 40 CFR Part 63, Subpart SSSS - National Emission Standards for Metal Coil Surface Coating Operations.

(71) 40 CFR Part 63, Subpart TTTT - National Emission Standards for Leather Tanning and Finishing Operations.

(72) 40 CFR Part 63, Subpart UUUU - National Emission Standards for Cellulose Product Manufacturing.

(73) 40 CFR Part 63, Subpart VVVV - National Emission Standards for Boat Manufacturing.

(74) 40 CFR Part 63, Subpart WWWW, National Emission Standards for Hazardous Air Pollutants for Reinforced Plastic Composites Production.

(75) 40 CFR Part 63, Subpart XXXX - National Emission Standards for Tire Manufacturing.

(76) 40 CFR Part 63, Subpart YYYYY, National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.

(77) 40 CFR Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

(78) 40 CFR Part 63, Subpart AAAAA, National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.

(79) 40 CFR Part 63, Subpart BBBB, National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing.

(80) 40 CFR Part 63, Subpart CCCCC, National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks.

(81) 40 CFR Part 63, Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters.

(82) 40 CFR Part 63, Subpart EEEEE, National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries.

(83) 40 CFR Part 63, Subpart FFFFF, National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing.

(84) 40 CFR Part 63, Subpart GGGGG, National Emission Standards for Hazardous Air Pollutants for Site Remediation.

(85) 40 CFR Part 63, Subpart HHHHH, National Emission Standards for Hazardous Air Pollutants for Miscellaneous Coating Manufacturing.

(86) 40 CFR Part 63, Subpart IIIII, National Emission Standards for Hazardous Air Pollutants for Mercury Emissions from Mercury Cell Chlor-Alkali Plants.

(87) 40 CFR Part 63, Subpart JJJJJ, National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing.

(88) 40 CFR Part 63, Subpart KKKKK, National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing.

(89) 40 CFR Part 63, Subpart LLLLL, National Emission Standards for Hazardous Air Pollutants for Asphalt Processing and Asphalt Roofing Manufacturing.

(90) 40 CFR Part 63, Subpart MMMMM, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Fabrication Operations.

(91) 40 CFR Part 63, Subpart NNNNN, National Emission Standards for Hazardous Air Pollutants for Hydrochloric Acid Production.

(92) 40 CFR Part 63, Subpart PPPPP, National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands.

(93) 40 CFR Part 63, Subpart QQQQQ - National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities.

(94) 40 CFR Part 63, Subpart RRRRR, National Emission Standards for Hazardous Air Pollutants for Taconite Iron Ore Processing.

(95) 40 CFR Part 63, Subpart SSSSS, National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing.

(96) 40 CFR Part 63, Subpart TTTTT, National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining.

(97) 40 CFR Part 63, Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources.

(98) 40 CFR Part 63, Subpart EEEEE, National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources.

(99) 40 CFR Part 63, Subpart FFFFF, National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources.

(100) 40 CFR Part 63, Subpart GGGGG, National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources--Zinc, Cadmium, and Beryllium.

(101) 40 CFR Part 63, Subpart LLLLL, National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources, published on July 16, 2007 at 72 FR 38864.

(102) 40 CFR Part 63, Subpart MMMMM, National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources, published on July 16, 2007 at 72 FR 38864.

(103) 40 CFR Part 63, Subpart NNNNN, National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds, published on July 16, 2007 at 72 FR 38864.

(104) 40 CFR Part 63, Subpart OOOOO, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources, published on July 16, 2007 at 72 FR 38864.

(105) 40 CFR Part 63, Subpart PPPPP, National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources, published on July 16, 2007 at 72 FR 38864.

(106) 40 CFR Part 63, Subpart QQQQQ, National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources, published on July 16, 2007 at 72 FR 38864.

KEY: air pollution, hazardous air pollutant, MACT

Date of Enactment or Last Substantive Amendment: ~~February 9, 2007~~ 2008

Notice of Continuation: February 9, 2004

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)

Environmental Quality, Air Quality
R307-405
Permits: Major Sources in Attainment
or Unclassified Areas (PSD)

NOTICE OF PROPOSED RULE
(Amendment)

DAR FILE NO.: 30431

FILED: 09/07/2007, 13:53

State of Utah

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION														
DAR file no:		Date filed:												
Utah Admin. Code ref. (R no.):		R307-214		Time filed:										
1. Agency: Environmental Quality/Air Quality Room no.: Building: Street address 1: 150 N 1950 W Street address 2: City, state, zip: SALT LAKE CITY, UT 84116-3085 Mailing address 1: PO BOX 144820 Mailing address 2: City, state, zip: SALT LAKE CITY, UT 84114-4820 Contact person(s): <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Name:</td> <td style="width: 20%;">Phone:</td> <td style="width: 20%;">Fax:</td> <td style="width: 20%;">E-mail:</td> <td style="width: 20%;">Remove:</td> </tr> <tr> <td>Mat E. Carlile</td> <td>801-536-4136</td> <td>801-536-0085</td> <td>MCARLILE@utah.gov</td> <td></td> </tr> </table>					Name:	Phone:	Fax:	E-mail:	Remove:	Mat E. Carlile	801-536-4136	801-536-0085	MCARLILE@utah.gov	
Name:	Phone:	Fax:	E-mail:	Remove:										
Mat E. Carlile	801-536-4136	801-536-0085	MCARLILE@utah.gov											
(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)														
2.	Title of rule or section (catchline): National Emission Standards for Hazardous Air Pollutants													
3.	A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule: Subsection 19-2-104(1)(a) allows the Air Quality Board to make rules regarding the control, abatement, and prevention of air pollution from all sources and establishing the maximum quantity of air contaminants that may be emitted by any source. Rule R307-214 incorporates by reference the federal standards for emissions of hazardous pollutants from various sources.													
4.	A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule: R307-214 was amended four times. DAR No 27293, effective 10/07/2004, no written or oral comments were received on this amendment. DAR No 28130, effective 11/03/2005, no written or oral comments were received on this amendment. DAR No 29194, effective 02/09/2006, no written or oral comments were received on this amendment. DAR No 30430, no written or oral comments were received on this amendment. No other comments have been received since the last five-year review.													
5.	A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any: Incorporating federal rules into the Utah rules allows enforcement by staff of the Utah Division of Air Quality rather than by the federal Environmental Protection Agency and therefore this rule should be continued.													
6.	Indexing information - keywords (maximum of four, in lower case): air pollution, hazardous air pollutant, MACT													
7.	Attach an RTF document containing the text of this rule change (filename): No document is associated with this filing.													
To the agency: Information requested on this form is required by Section 63-46a-9. Incomplete forms will be returned to the agency for completion, possibly delaying the effective date.														

AGENCY AUTHORIZATION

Agency head or designee, and title: <i>Matthew J. Ramsey</i> <i>Branch Manager</i>	Date (mm/dd/yyyy): <i>12/04/2007</i>
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Non Printable